

the rights of the Sovereign. The rigour too, which the King, during his abode in Scotland, had experienced from the Presbyterians, disposed him to run into the other extreme, and to bear a kindness to the party, most opposite in its genius to the severity of those religionists. The solicitations and importunities of the Queen mother, the contagion of the company which he frequented, the view of a more splendid and courtly mode of worship, the hopes of indulgence in pleasure; all these causes operated powerfully on a young Prince, whose careless and dissolute temper made him incapable of adhering closely to the principles of his early education. But if the thoughtless humour of Charles rendered him an easy convert to Popery, the same disposition ever prevented the theological tenets of that sect from taking any fast hold of him. During his vigorous state of health, while his blood was warm and his spirits high, a contempt and disregard of all religion held possession of his mind; and he might more properly be denominated a Deist than a Catholic. But in those revolutions of temper, when the love of raillery gave place to reflection, and his penetrating, but negligent understanding, was clouded with fears and apprehensions, he had starts of more sincere conviction, and a sect, which always possessed his inclinations, was then master of his judgment and opinion \*.

Chap. I.  
1662.

BUT tho' the King thus floated, during his whole reign, between irreligion, which he more openly professed, and Popery, to which he retained a secret propensity, his brother, the Duke of York, had zealously adopted all the principles of that theological party. His eager temper and narrow understanding made him a thorough convert, without any reserve from interest, or doubts from reasoning and enquiry. By his application to business, he had acquired a great ascendant over the King, who, tho' possessed of much more discernment, was glad to throw the burthen of affairs on the Duke, of whom he entertained little jealousy. On pretence of easing the Protestant dissenters, they agreed upon a plan for introducing a general toleration, and giving the Catholics the free exercise of their religion; at least, the exercise of it in private houses. The two brothers saw with pleasure so numerous and popular a body of the clergy refuse conformity; and it was hoped, that, under shelter of their name, the small and hated sect of the Catholics might meet with favour and protection.

BUT while the King pleaded his early promises of toleration, and insisted on many other plausible topics, the Parliament, who sat a little after the declaration was issued, could by no means be satisfied with this measure. The declared intention of easing the Dissenters, and the secret purpose of favouring the Catholics,

1663.  
18th of February.

\* The Author confesses that the King's zeal for Popery went farther than is here said, as appears from many passages in James II's Memoirs.



Chap. I.  
1663.

were equally disagreeable to them, and in these prepossessions they were encouraged by the King's ministers themselves, particularly the chancellor. The house of Commons represented to the King, that his declaration of Breda contained no promise to the Presbyterians and other Dissenters, but only an expression of his intentions, upon the supposition of the Parliament's concurrence; that even if the Nonconformists had been entitled to plead a promise, they had entrusted this claim, as well as all their other rights and privileges, to the House of Commons, who were their representatives, and who now freed the King from that obligation; that it was not to be supposed, that his Majesty and the Houses were so bound by that declaration as to be incapacitated from making any laws, which might be contrary to it; that even at the King's restoration, there were laws of uniformity in force, which could not be dispensed with but by act of Parliament; and that the indulgence proposed would prove most pernicious both to Church and state, would open the door to schism, encourage faction, disturb the public peace, and discredit the wisdom of the legislature. The King did not think proper, after this remonstrance, to insist any farther at present on the project of indulgence.

In order to deprive the Catholics of all hopes, the two Houses concurred in a remonstrance against them. The King gave a very gracious answer; tho' he scrupled not to profess his gratitude towards many of that persuasion, on account of their faithful services in his father's cause and in his own. A proclamation for form's sake, was soon after issued against Jesuits and Romish priests: But care was taken, by the very terms of it, to render it ineffectual. The Parliament had allowed, that all the foreign priests, belonging to the two Queens, should be excepted, and that a permission for them to remain in England should still be granted. In the proclamation, the word *foreign* was purposely omitted; and the Queens were thereby authorized to give protection to as many English priests as they should think proper.

THAT the King might reap some advantage from his compliances, however fallacious, he engaged the Commons anew into an examination of his revenue, which, chiefly by the negligence in levying it, had proved, he said, much inferior to the public charges. Notwithstanding the price of Dunkirk, his debts, he complained, amounted to a considerable sum; and to satisfy the Commons, that the money formerly granted him had not been prodigally expended, he offered to lay before them the whole account of his disbursements. It is however agreed on all hands, that the King, tho', during his banishment, he had managed his small and precarious income with great order and œconomy, had now much abated of these virtues, and was unable to make his royal revenues suffice for his expences. The Commons, without entering into too nice a disquisition,



When Lawson arrived, and communicated his suspicion of de Ruyter's enterprize, orders were issued for seizing all Dutch ships; and 135 fell into the hands of the English. These were not confiscated nor declared prizes, till afterwards, when war was proclaimed.

Chap. II.  
1664.

THE Parliament, when met, granted a supply, the largest by far that had ever been given to a King of England, but no more than sufficient for the present undertaking. Near two millions and a half were voted, to be levied by quarterly payments in three years. The avidity of the merchants, together with the great prospect of success, had animated the whole nation against the Dutch.

24th of No-  
vember.  
A new session.

A GREAT alteration was made this session in the method of taxing the clergy. In almost all the other Monarchies of Europe, the assemblies, whose consent was formerly requisite to the enacting of laws, were composed of three estates, the clergy, the nobility, and the commonalty, which formed so many members of the political body, of which the King was considered as the head. In England too, the Parliament was always represented as consisting of three estates; but their separation was never so distinct as in other kingdoms. A convocation, however, had usually sat at the same time with the Parliament: Tho' they possessed not a negative voice in the passing of laws, and assumed no farther power than that of imposing taxes on the clergy. By reason of ecclesiastical preferments, which he could bestow, the King's influence over the church was become more considerable than over the laity; so that the subsidies, granted by the convocation, were commonly greater than those voted by the Parliament. The church, therefore, was not displeased to depart tacitely from the right of taxing herself, and allow the Commons to lay impositions on ecclesiastical revenues as on the rest of the Kingdom. In recompence, two subsidies, which the convocation had formerly granted, were remitted, and the parochial clergy were allowed to vote at elections. Thus the church of England made a barter of power for profit. Their convocations, having become useless to the Crown, have been very much disused of late years.

THE Dutch saw, with the utmost regret, a war approaching, whence they might dread the most fatal consequences, but which afforded no prospect of advantage. They tried every art of negotiation, before they would come to extremity. Their measures were at that time directed by John de Wit, a minister equally eminent for greatness of mind, for capacity, and for integrity. Tho' moderate in his private deportment, he knew how to adopt in his public councils that magnanimity, which suits the minister of a great state. It was ever his maxim, that no independant government should yield to another any evident point of reason or equity; and that all such concessions, so far from preventing war, served to no other purpose than to provoke fresh claims and insolences. By his management a spirit of union was preserved in all the provinces; great sums were levied; and a navy was equip-



Chap. II.  
1664.

ped, composed of larger ships than the Dutch had ever built before, and able to cope with the fleet of England.

1665.  
22d of February.

3d of June.  
Victory of the English.

As soon as certain intelligence arrived of de Ruyter's enterprizes, Charles declared war against the States. His fleet, consisting of 114 sail, besides fireships and ketches, was commanded by the duke of York, and under him by prince Rupert and the earl of Sandwich. It had about 22,000 men on board. Obdam, who was admiral of the Dutch navy, of nearly equal force, declined not the combat. In the heat of action, when engaged in a close fight with the duke of York, Obdam's ship blew up. This accident much discouraged the Dutch, who fled towards their own coast. Tromp alone, son of the famous admiral, killed during the Protectorship, bravely sustained with his squadron the efforts of the English, and protected the rear of his countrymen. The vanquished had nineteen ships sunk and taken. The victors lost only one. Sir John Lawson died soon after of his wounds.

It is affirmed, and with great appearance of reason, that this victory might have been rendered much more compleat, had not orders been issued to slacken sail by Brounker, one of the duke's bedchamber, who pretended authority from his master. The duke disclaimed the orders; but Brounker never was sufficiently punished for his temerity \*. It is allowed, however, that the duke behaved with great bravery during the action. He was long in the thickest of the fire. The earl of Falmouth, lord Muskerry, and Mr. Boyle, were killed by one shot at his side, and covered him all over with their brains and gore. And it is not likely, that, in a pursuit, where even persons of inferior station, and of the most cowardly disposition, acquire courage, a commander should feel his spirits to flag, and should turn from the back of an enemy, whose face he had not been afraid to encounter.

THIS disaster threw the Dutch into consternation, and determined de Wit, who was the soul of all their councils, to exert his military capacity, in order to support the declining courage of his countrymen. He went on board the fleet, which he took under his command; and he soon remedied all those disorders, which had been

\* King James in his Memoirs gives an account of this affair different from what we meet with in any historian. He says, that, while he was asleep, Brounker brought orders to Sir John Harman, captain of the ship, to slacken sail, Sir John remonstrated, but obeyed. After some time, finding that his falling back was likely to produce confusion in the fleet, he hoisted the sail as before: So that his royal highness coming soon after on the quarter deck, and finding all things as he left them, knew nothing of what had passed during his repose. No body gave him the least notice of it. It was long after, that he heard of it, by a kind of accident; and he intended to have punished Brounker; but just about that time, the House of Commons took up the question and impeached him, which made it impossible for the duke to punish him otherwise than by dismissing him his service. Brounker, before the house, never pretended, that he had received any orders from the duke.

occasioned



occasioned by the late misfortune. The genius of this man was of the most extensive nature. He quickly became as much master of naval affairs, as if he had from his infancy been educated in them; and he even improved some parts of pilotage and sailing, beyond what men expert in those arts had ever been able to attain.

Chap. II.  
1665.

THE misfortunes of the Dutch determined their allies to act for their assistance and support. The King of France was engaged in a defensive alliance with the States; but as his naval force was yet in its infancy, he was extremely averse, at that time, from entering into a war with so formidable a power as England. He tried long to mediate a peace between the two parties, and for that purpose sent an embassy to London, which returned without effecting any thing. Lord Hol-  
lis, the English ambassador at Paris, endeavoured to draw over Lewis to the side of England; and in his master's name, made him the most tempting offers. Charles was content to abandon all the Spanish Low Countries to the French, without pretending to a foot of ground for himself; provided Lewis would allow him to pursue his advantages against the Dutch\*. But the French Monarch, tho' the conquest of that valuable territory was the chief object of his ambition, rejected the offer as contrary to his interest: He thought, that, if the English had once established an uncontrollable dominion over the sea and over commerce, they would soon be able to render his acquisitions a very dear purchase to him. When de Lionne, the French Secretary, assured Van Buninghen, ambassador of the States, that this offer had been pressed on his master during six months; "I can readily believe it," replied the Dutchman; "I am sensible that it is the interest of England †."

Rupture with  
France.

SUCH were the established maxims at that time with regard to the interests of Princes. It must however be allowed, that the politics of Charles in making this offer, were not a little hazardous. The extreme weakness of Spain would have rendered the French conquests easy and infallible: But the vigour of the Dutch, it might be foreseen, would make the success of the English much more precarious. And even were the naval force of Holland totally annihilated, the acquisition of the Dutch commerce to England could not be relied on as a certain consequence; nor is trade a constant attendant of power, but depends on many other, and some of them very delicate, circumstances.

THO' the King of France was resolved to support the Hollanders in that unequal contest, in which they were engaged; he yet protracted his declaration, and employed the time in naval preparations, both in the Ocean and the Mediterranean. The King of Denmark mean while was resolved not to remain an idle spectator of the contest between the maritime powers. The part, which he acted, was the most extraordinary. He made a secret agreement with Charles, to seize all the Dutch ships in his harbours, and to share the spoils with the English, provided they would

\* D'Estrades, 19th of December, 1664.

† Id. 14th of August, 1665.



Chap. II.  
1665.

assist him in executing this measure. In order to encrease his prey, he perfidiously invited the Dutch ships to take shelter in his ports; and accordingly, the East India fleet, very richly laden, had put into Bergen. Sandwich, who now commanded the English navy (the Duke having gone ashore) dispatched Sir Thomas Tiddiman with a squadron to attack them; but whether from the King of Denmark's delay in sending orders to the governor, or, what is more probable, from his avidity in endeavouring to engross the whole booty, the English admiral, tho' he behaved with great bravery, failed of his purpose. The Danish governor fired upon him; and the Dutch, having had leisure to fortify themselves, made a very gallant resistance.

3d of August.

Rupture with  
Denmark.

THE King of Denmark, seemingly ashamed of his conduct, concluded with Sir Gilbert Talbot, the English envoy, an offensive alliance against the States; and at the very same time, his resident at the Hague, by his orders, concluded an offensive alliance against England. To this last alliance he adhered, probably from jealousy of the encreasing naval power of England; and he seized and confiscated all the English ships in his harbours. This was a very sensible check to the advantages, which Charles had obtained over the Dutch. Not only a great blow was given to the English Commerce: The King of Denmark's naval force was also considerable, and threatened every moment a conjunction with the Hollanders. That Prince stipulated to assist his allies with a fleet of thirty sail; and he received in return a yearly subsidy of 1,500,000 crowns; of which 300,000 were paid by France.

THE King endeavoured to counterballance these confederacies by acquiring new friends and allies. He had dispatched Sir Richard Fanshaw into Spain, who met with a very cold reception. That Monarchy was sunk into a great degree of weakness, and was menaced with an invasion from France; yet could not any motive prevail with Philip to enter into a cordial friendship with England. Charles's alliance with Portugal, the detention of Jamaica and Tangiers, the sale of Dunkirk to the French; all these offences sunk so deep into the mind of the Spanish Monarch, that no motive of interest was sufficient to outweigh them.

THE bishop of Munster was the only ally that Charles could acquire. That prelate, a man of restless enterprize and ambition, had entertained a violent animosity against the States; and he was easily engaged, by the promise of subsidies from England, to make an incursion on that Republic. With a tumultuary army of near 20,000 men, he invaded her territories, and met with weak resistance. The land-forces of the States were as feeble and ill governed as their fleets were gallant and formidable. But after committing great ravages in several of the provinces, a stop was put to the progress of this warlike prelate. He had not military skill sufficient to improve the advantages, which fortune had offered him. The King of France sent a body of 6000 men to oppose him: Subsidies were not regularly remitted to him from England; and many of his troops deserted for want of pay: The



efforts were in vain. The disgust of the Commons was fixed on foundations too deep to be easily removed. They began with applications for a general fast; by which they intimated, that the nation was in a very calamitous condition: They addressed against the King's guards, which they represented as dangerous to liberty, and even as illegal, since they had never yet received the sanction of Parliament: They took some step towards establishing a new and more rigorous test against popery: And what chiefly alarmed the court, they made an attack on the members of the cabal, to whose pernicious councils they justly imputed all their present grievances. Clifford was dead: Shaftesbury had made his peace with the country party, and was become their leader: Buckingham was endeavouring to imitate Shaftesbury; but his intentions were as yet known to very few. A motion was therefore made in the House of Commons for his impeachment: He desired to be heard at the bar; but expressed himself in so confused and ambiguous a manner as gave little satisfaction. He was required to answer precisely to certain queries, which they proposed to him. These queries regarded all the articles of misconduct abovementioned; and among the rest, the following one seems remarkable. "By whose advice was the army brought up to overawe the debates and resolutions of the House of Commons?" This shews to what length the suspicions of the House were at that time carried. Buckingham, in all his answers, endeavoured to exculpate himself, and to load Arlington. He succeeded not in the former intention: The Commons voted an address for his removal. But Arlington, who was on many accounts obnoxious to the House, was attacked. Articles were drawn up against him; tho' the impeachment was never prosecuted.

Chap. III.  
1674.

THE King plainly saw, that he could expect no supply from the Commons for carrying on a war, which was so odious to them. He resolved therefore to make a separate peace with the Dutch, on the terms which they had proposed, through the canal of the Spanish ambassador. With a cordiality, which, in the present disposition on both sides, was probably but affected, but which was obliging, he asked advice of the Parliament. The Parliament unanimously concurred, both in thanks for this gracious condescension, and in their advice for peace. Peace was accordingly concluded. The honour of the flag was yielded by the Dutch in the most extensive terms: A regulation of trade was agreed to: All possessions were restored to the same condition as before the war: The English planters in Surinam were allowed to remove at pleasure: And the States agreed to pay to the King the sum of 800,000 patacoons, near 300,000 pounds. Four days after the Parliament was prorogued, the peace was proclaimed in London, to the great joy of the people. Spain had declared, that she could no longer stand neuter, if hostilities were continued against Holland; and a great decay of trade was foreseen, in case a rupture should ensue with that nation. The prospect of this loss contributed very much

Peace with  
Holland.

28th of Fe.  
bruary.



Chap. IV. to encrease the national averſion to the preſent war, and to enliven the joy for its  
1674. concluſion.

THERE was in the French ſervice a large body of Engliſh to the number of 10,000 men, which had acquired great honour in every action, and had contributed greatly to the ſucceſſes of Lewis. Theſe troops, Charles ſaid he was bound by treaty not to recall; but he obliged himſelf to the States by a ſecret article not to allow them to be recruited. His partiality to France prevented a ſtrict execution of this article.

#### C H A P. IV.

*Prepoſterous ſchemes of the cabal.—Remonſtrances of Sir William Temple.—Campaign of 1674.—A Parliament.—Paſſive obedience.—A Parliament.—Campaign of 1675.—Congreſs of Nimeguen.—Campaign of 1676.—Uncertain conduct of the King.—A Parliament.—Campaign of 1677.—Parliament's diſtruſt of the King.—Marriage of the Prince of Orange with the Lady Mary.—Plan of Peace.—Negotiations.—Campaign of 1678.—Negotiations.—Peace of Nimeguen.—State of affairs in Scotland.*

1674.  
Prepoſterous  
ſchemes of  
the cabal.

**I**F we conſider the projects of the famous Cabal, it will be hard to determine, whether the end, which they propoſed, was more blameable and pernicious, or the means, by which they were to effect it, more impolitic or imprudent. Tho' they might talk only of recovering or fixing the King's authority; their intention could be no other than that of making him abſolute: Since it was not poſſible to regain or maintain in oppoſition to the people, any of thoſe powers of the crown, aboliſhed by late law or cuſtom, without ſubduing the people, and rendering the royal prerogative entirely uncontrollable. Againſt ſuch a ſcheme, they might foreſee, that every party of the nation would declare themſelves, not only the old parliamentary party, which, tho' they kept not in a body, were ſtill very numerous; but even the greateſt Royaliſts, who were indeed attached to Monarchy, but deſired to ſee it limited and reſtrained by law. It had appeared, that the preſent Parliament, tho' elected during the greateſt prevalence of the royal party, were yet very tenacious of popular privileges, and retained a conſiderable jealouſy of the Crown, even before they had received any juſt ground of ſuſpicion. The guards, therefore, together with a ſmall army, new levied, and undiſciplined, and compoſed too of Engliſhmen, were almoſt the only domeſtic reſources, which the King could depend on in the proſecution of theſe dangerous councils.

THE



THE assistance of France was, no doubt, esteemed by the Cabal a considerable support in the schemes, which they were forming: But it is not easily conceived, that they could imagine themselves capable of directing and employing an associate of so domineering a character. They ought justly to have suspected, that it would be Lewis's sole intention, as it evidently was his interest, to raise incurable jealousies between the King and his people; and that he saw how much a steady uniform government in this island, whether free or absolute, would form invincible barriers to his ambition. Should his assistance be demanded; if he sent a small supply, it would serve only to enrage the people, and render the breach altogether irreparable; if he furnished a great force, sufficient to subdue the nation, there was little reason to trust his generosity, with regard to the use, which he would make of this advantage.

IN all its other parts, the plans of the Cabal, it must be confessed, appear equally absurd and incongruous. If the war with Holland was attended with great success, and involved the subjection of the Republic, such an accession of force must fall to Lewis, not to Charles: And what hopes afterwards of resisting by the greatest unanimity so mighty a monarch? How dangerous, or rather how ruinous to depend upon his assistance against domestic discontents? If the Dutch, by their own vigour, and the assistance of allies, were able to defend themselves, and could bring the war to an equality; the French arms would be so employed abroad, that no considerable reinforcement could thence be expected to second the King's enterprizes in England. And might not the project of over-awing or subduing the people be esteemed, of itself, sufficiently odious, without the aggravation of sacrificing that State, which they regarded as their best ally, and with which, on many accounts, they were desirous of maintaining the greatest concord and strictest confederacy?

WHATEVER views likewise might be entertained of promoting by these measures the catholic religion; they could tend only to render all the other schemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is established, is more proper than the protestant for supporting an absolute Monarchy; but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more detested than even slavery itself?

IT must be allowed, that the difficulties, and even inconsistencies, attending the schemes of the Cabal, are so numerous and obvious, that one feels at first an inclination to deny the reality of those schemes, and to suppose them entirely the chimeras of calumny and faction. But the utter impossibility of accounting by any other hypothesis for those strange measures embraced by the court, as well as for the numerous circumstances, which accompanied them, obliges us



Chap. IV.  
1674.

to acknowledge (tho' there remains no direct evidence of it \*) that a formal plan was laid for subverting the constitution, and that the King and the Ministry were in reality conspirators against the people. What is most probable in human affairs is not always true; and a very minute circumstance, overlooked in our speculations, serves often to explain events, which may seem the most surprizing and unaccountable. Though the King possessed penetration and a sound judgment, his capacity was chiefly fitted for smaller matters †, and the ordinary occurrences of life; nor had he application enough to carry his view to distant consequences, or to digest and adjust any plan of political operations. As he scarce ever thought twice on any one subject, every appearance of advantage was apt to seduce him; and when he found his way obstructed by unlooked-for difficulties, he readily turned aside into the first path, where he expected more to gratify the natural indolence of his disposition. To this versatility or pliancy of genius, he himself was inclined to trust; and he thought, that, after trying an experiment for enlarging his authority, he could easily, if it failed, return into the ordinary channel of government. But the suspicions of the people, though they burst not forth at once, were by this attempt rendered altogether incurable; and the more they reflected on the circumstances, attending it, the more resentment and jealousy were they apt to entertain. They observed, that the King never had any favourite; that he was never governed by his ministers,

\* Since the publication of this History, the Author has had occasion to see the most direct and positive evidence of this conspiracy. From the humanity and candor of the principal of the Scots College at Paris, he was admitted to peruse James the Second's Memoirs, kept there. They amount to several volumes of small folio, all wrote with that Prince's own hand, and comprehending the remarkable incidents of his life from his early youth till near the time of his death. His account of the French Alliance is as follows: The intention of the King and Duke was chiefly to change the religion of England, which they deemed an easy undertaking, because of the great propensity, as they imagined, of the cavaliers and church party to popery: The project was assented to by the Cabal, agreeable to the narration of all the historians; and the treaty with Lewis was concluded at Versailles in the end of 1669, or beginning of 1670, by Lord Arundel of Wardour, whom no historian mentions as having had any hand in these transactions. The purport of it was, that Lewis was to give Charles 200,000 pounds a year in quarterly payments, in order to enable him to settle the Catholic Religion in England; and he was also to supply him with an army of 6000 men in case of any insurrection. When that work was finished, England was to join with France in making war upon Holland: In case of success, Lewis was to have the inland Provinces, the Prince of Orange Holland in sovereignty, and Charles Sluice, la brille Walkeren, with the rest of the Sea Ports as far as Mazeland Sluice. This treaty was formally signed in London about the beginning of February 1671-2, by the five members of the Cabal. The King's project was first to effectuate the change of religion in England; but the Dutchess of Orleans, in the interview at Dover, perswaded him to begin with the Dutch war, contrary to the remonstrances of the Duke of York, who insisted that Lewis, after serving his own purposes, would no longer trouble himself about England. The Duke makes no mention of any design to render the King absolute; but that was, no doubt, implied in the project of subverting the Protestant Religion, which was to be effected entirely by royal authority. The King was so zealous a Papist, that he wept for joy when he entertained the project of reuniting his kingdom to the Catholic Church.

† Duke of Buckingham's character of Charles II.

scarce



blood was so like a popish practice, that he could not but abhor it. Upon the whole, the integrity and virtuous intentions, rather than the capacity, of this unfortunate nobleman, seem to have been the shining parts of his character. Chap. VII.  
1683.

ALGERNON SIDNEY was next brought to his trial. This gallant person, son to the earl of Leicester, had entered deeply into the war against the late King; and tho' no wise tainted with enthusiasm, he had so far shared in all the councils of the independant republican party, as to have been named on the high court of justice, which tried and condemned that Monarch: He thought not proper, however, to take his seat among the judges. He ever opposed Cromwel's usurpation with zeal and courage; and after employing all his efforts against the restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family, which he abhorred. As long as the republican party had any existence, he was active in every scheme, however unpromising, which tended to promote their cause: But at last, in 1677, finding it necessary for his private affairs to return into England, he had applied for the King's pardon and had obtained it. When the factions, arising from the popish plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic. Trial of Alger-  
non Sidney.

FROM this imperfect sketch of the character and conduct of this illustrious personage, it may easily be conceived how obnoxious he was become to the court and ministry: What alone renders them inexcusable was the illegal method, which they took, of effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators: A topic more fit to condemn one party than to justify the other. The only witness, who deposed against Sidney, was lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closet, some discourses on government were found; where he had maintained principles, favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness, and even to many witnesses. The prisoner replied, that there was no other reason for ascribing these papers to him besides a similitude of hand;



Chap. VII.  
1683.

17th of De-  
cember.  
His execu-  
tion.

a proof, which was never admitted in criminal prosecution: That allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world, or even communicated them to any single person: That, when examined, they appeared by the colour of the ink to have been wrote many years before, and were in vain produced as evidences of a present conspiracy against the government: And that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice; much less, when supported by a circumstance so weak and precarious. All these arguments, tho' urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jefferies was now chief justice; and by his direction a partial jury was easily prevailed on to give verdict against Sidney. His execution followed a few days afterwards: He complained, and with reason, of the iniquity of the sentence; but he had too much greatness of mind to deny those consults with Monmouth and Ruffel, in which he had been engaged. He rather gloried, that he now suffered for that *good old cause*, in which, from his earliest youth, he said, he had enlisted himself.

THE execution of Sidney is regarded as one of the greatest blemishes of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were, for that reason, very blameable. But that after sentence passed by a court of judicature, the King should interpose and pardon a man, who tho' otherwise possessed of great merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the King's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty.

HOWARD was also the sole evidence against Hamden; and his testimony was not supported by any very material circumstance. The crown-lawyers therefore found it in vain to try the prisoner for treason: They laid the indictment only for misdemeanours, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

HOLLOWAY, a merchant of Bristol, one of the conspirators, had fled to the West Indies, and was now brought over. He had been outlawed; but the year, allowed him for presenting himself, was not expired. A trial was therefore offered him: But as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourses of an assassination, tho' he had not approved of them, he thought it more expedient to throw himself on the King's mercy. He was executed persisting in the same confession.



SIR THOMAS ARMSTRONG, who had been seized in Holland by Chidley, the King's minister, and sent over, was precisely in the same situation with Holloway : But the same favour, or rather justice, was refused him. The lawyers pretended, that, unless he voluntarily came in before the expiration of the time assigned, he could not claim the privilege of a trial ; not considering, that the seizure of his person ought in equity to be supposed the accident which prevented him. The King bore a great enmity against this gentleman, by whom he believed the duke of Monmouth to have been seduced from his duty : He also asserted, that Armstrong had once promised Cromwel to assassinate him ; tho' it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice, which was now done him. It was apprehended, that sufficient evidence of his guilt could not be produced ; and that even the partial juries, which are now returned, and which allowed themselves to be entirely directed by Jefferies and other violent Judges, would not give sentence against him.

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1683.

ON the day that Russel was tried, Effex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inquest brought in their verdict, *self-murder* : Yet because two children of ten years of age (one of whom too departed from his evidence) had affirmed, that they heard a great noise from his window, and that they saw a hand throw out a bloody razor, these circumstances were laid hold of, and the murder was ascribed to the King and the Duke, who happened that morning to pay a visit to the Tower. Effex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment : He was accustomed to maintain the lawfulness of suicide : And his countess, upon a strict enquiry, which was committed to the care of Dr. Burnet, found no reason to confirm the suspicion : Yet could not all these circumstances, joined to many others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds : For, besides that it inflames all the passions, it tends much to remove those great restraints, honour and shame ; when men find, that no iniquity can lose them the applause of their own party, and no innocence secure them against the calumnies of the opposite.

BUT tho' there is no reason to think, that Effex had been murdered by any orders from court, it must be acknowledged, that a very unjustifiable use in Russel's trial was made of that incident. The King's council mentioned it in their pleadings as a strong proof of the conspiracy ; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

SOME memorable causes, tried about this time, tho' they have no relation to the Rye-house conspiracy, show the temper of the bench and the juries. Oates was convicted of having called the Duke a popish traitor ; was fined to the

State of the  
nation.



Chap. VII. amount of one hundred thousand pounds; and was condemned to prison till he  
1683. should make payment. A like illegal sentence was passed upon Dutton-Colt for a like offence. Sir Samuel Barnardiston was fined ten thousand pounds; because, in some private letters, which had been intercepted, he had reflected on the government. This gentleman was obnoxious; because he had been foreman of that jury, which rejected the bill against Shaftesbury. A pretence was therefore fallen upon for punishing him; tho' such a precedent may justly be esteemed a very unusual act of severity, and sufficient to destroy all confidence in private friendship and correspondence.

THERE is another remarkable trial, which shows the disposition of the courts of judicature, and which, tho' it passed in the ensuing year, it may not be improper to relate here. One Rosewel, a presbyterian preacher, was accused by three women of having spoke treasonable words in a sermon. They swore to two or three periods, and agreed so exactly together, that there was not the smallest variation in their depositions. Rosewel on the other hand made a very good defence. He proved, that the witnesses were leud and infamous persons: He proved, that, even during Cromwel's usurpation, he had always been loyal; that he prayed constantly for the King in his family; and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon, of which he was accused, several witnesses, who heard it, and some who wrote it in short-hand, deposed that he had used no such expressions as those objected to him. He offered his own notes as a farther proof. The women could not show by any circumstance or witnesses, that they were at his meeting. And the expressions, which they swore against him, were so gross, that no man in his senses could be supposed to employ them before a mixt audience. It was also urged, that it was next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue: He would pronounce, with his usual tone of voice, a period as long as that which they had sworn to; and then let them try to repeat it, if they could. What was more unaccountable, they had forgot even the text of his sermon; nor did they remember any single passage, but the words, which they deposed to. After so strong a defence, the solicitor-general thought not proper to make any reply: Even Jefferies went no farther than some general declamations against conventicles and Presbyterians: Yet so violent were party-prejudices, that the jury gave a verdict against the prisoner; which however appeared so palpably unjust, that it never was executed.

THE duke of Monmouth had absconded on the first discovery of the conspiracy, and the court could get no intelligence of him. At last, Halifax, who began to apprehend



apprehend the too great prevalence of the royal party, and who thought, that Monmouth's interest would prove the best counterbalance to the Duke's, discovered his retreat, and prevailed with him to write two letters to the King, full of the tenderest and most submissive expressions. The King's fondness was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother; and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But in order to put the country party to silence, he called next day an extraordinary council; and informed them that Monmouth had showed great penitence for the share, which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprizes. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence 'till he had obtained his pardon in form: But finding, that, by taking this step, he was entirely disgraced with his party, and that, even tho' he should not be produced in court as an evidence, his testimony, being so publicly known, might have weight with juries, on any future trial, he resolved at all hazards to retrieve his honour. His emissaries, therefore, received orders to deny, that he had ever made any such confession as that ascribed to him; and the party cried aloud, that the whole was a fiction of the Court. The King, provoked at this conduct, banished Monmouth. his presence, and afterwards ordered him to depart the kingdom.

THE Court were well aware, that the malecontents in England had held a correspondence with those in Scotland; and that Baillie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbell, had come to London, under pretence of negotiating the settlement of the Scots Presbyterians in Carolina, but really with a view to concert measures with the English conspirators. Baillie was sent prisoner to Edinburgh; and as no evidence appeared against him, the council required him to swear, that he would answer all questions, which should be propounded to him. Baillie refused to submit to so iniquitous a condition; and a fine of six thousand pounds was imposed upon him. At last, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the earl of Tarras and some others, who, in order to save themselves from attainder, were reduced to accuse Baillie. He was brought to trial; and being in so languishing a condition from the cruel treatment, which he had met with in prison, that it was feared he would not survive that night, he was ordered to be executed the very afternoon, on which he received sentence.

THE severities, exercised during this part of the present reign, were much contrary to the usual tenor of the King's conduct; and tho' those who studied his character more narrowly, have pronounced, that towards great offences he was rigid and.



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and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the Duke's councils, into whose hands the King had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The Crown indeed gained great advantages from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators: The horror entertained against the assassination-plot, which was commonly confounded with the design of an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the Court. The most loyal addresses came from all parts of the kingdom; and the doctrine of submission to the civil magistrates, and even of an unlimited passive obedience, became the reigning principle of the times. The university of Oxford passed a solemn decree, condemning some doctrines, which they denominated republican, but which indeed are, most of them, the only tenets, on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the King's feet; and were as much fallen in their spirit as in their credit with the nation. Nothing, which had the least appearance of opposition to the Court, could be hearkened to by the public.

1684.

THE King endeavoured to encrease his present popularity by every art; and knowing, that the suspicion of popery was of all others the most dangerous, he judged it proper to marry his niece, the Lady Anne, to Prince George, brother to the King of Denmark. All the credit, however, and persuasion of Hallifax, could not engage him to call a parliament, or trust the nation with the election of a new representative. Tho' his revenues were extremely burthened, he chose rather to struggle with the present difficulties, than try an experiment, which, by raising afresh so many discontented humours, might prove dangerous to his repose. The Duke likewise zealously obstructed this proposal, and even engaged the King in measures which could have no other tendency, than to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to orders of the House: A breach of privilege, which, it seemed not likely, any future House of Commons would leave unpunished. Danby and the popish lords, who had so long been confined to the Tower, and who saw no prospect of a trial in Parliament, were admitted to bail: A measure very just in itself, but deemed a great encroachment on the privileges of that assembly. The Duke, contrary to law, was restored to the office of high admiral, without taking the test.

Had the least grain of jealousy or emulation been mixed in the King's character; had he been actuated by that concern for his people's or even for his own honour, which his high station demanded, he would have hazarded many domestic inconveniencies rather than allow France to domineer in so haughty a manner



as that which at present she assumed in every negotiation. The peace of Nime-  
 guen, imposed by the Dutch on their unwilling allies, had disjointed the whole  
 confederacy; and all the powers, engaged in it, had disbanded their supernu-  
 mery troops, which they found such difficulty to subsist. Lewis alone still main-  
 tained a very powerful army, and by his preparations rendered himself every day  
 more formidable. He now acted as if he were the sole Sovereign in Europe, and  
 as if all other Princes were soon to become his vassals. Courts or chambers were  
 erected in Metz and Brisac, for re-uniting such territories as had ever been mem-  
 bers of any part of his new conquests. They made inquiry into titles buried in the  
 most remote antiquity. They cited the neighbouring Princes to appear before  
 them, and issued decrees, expelling them from the contested territories. The im-  
 portant town of Strasbourg, an antient and a free state, was seized by Lewis:  
 Aloft was demanded of the Spaniards, on a most frivolous, and even ridiculous  
 pretence; and upon their refusal to yield it, Luxembourg was blockaded, and  
 soon after taken. Genoa had been bombarded, because the Genoese had stipu-  
 lated to build some gallies for the Spaniards; and in order to avoid a more severe  
 fate, that republic was obliged to yield to the most mortifying conditions. The  
 empire was insulted in its head and principal members; and used no other expe-  
 dient for redress, but impotent complaints and remonstrances.

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 1684.  
 State of fo-  
 reign affairs.

SPAIN was so enraged at the insolent treatment which she met with, that, with-  
 out considering her present weak condition, she declared war against her haughty  
 enemy: She hoped, that the other powers of Europe, sensible of the common  
 danger, would fly to her assistance. The Prince of Orange, whose ruling passions  
 were the love of war and animosity against France, seconded every where the ap-  
 plications of the Spaniards. In the year 1681, he even made a journey to Eng-  
 land, in order to engage the King into closer measures with the confederates. He  
 also proposed to the States to make an augmentation of their forces; but several  
 of the provinces, and even the town of Amsterdam, had been gained by the  
 French, and the proposal was rejected. The Prince's enemies derived the most  
 plausible reasons of their opposition from the situation of England, and the known  
 and avowed attachments of the English Monarch.

No sooner had Charles dismissed his Parliaments, and embraced the resolu-  
 tion of governing by prerogative alone, than he dropped his new alliance with  
 Spain, and returned to his former dangerous connections with Lewis. That Prince  
 had even offered to make him arbiter of his differences with Spain; and this lat-  
 ter power, sensible of Charles's partiality, had refused to submit to such a dis-  
 advantageous proposal. Whether any money was now remitted to England, we  
 do



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do not certainly know: But we may fairly presume, that the King's necessities were in some degree relieved by France \*. And tho' Charles had reason to apprehend the utmost danger from the great, and still increasing, naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

It is here we are to fix the point of the highest exaltation, which the power of Lewis or that of any European Prince, since the age of Charlemagne, had ever attained. The only Monarch, capable of opposing his progress, was entirely engaged in his interests; and the Turks, invited by the malecontents of Hungary, were preparing to invade the Emperor, and to disable that Prince from making head against the progress of the French power. Lewis may even be accused of oversight, in not making sufficient advantage of such favourable opportunities, which he was never afterwards able to recall. But that Monarch, tho' more governed by motives of ambition than by those of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the Princes and free States of Europe; and he thereby provoked their resentment without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness; all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of a general conquest and subjection.

1685.

THE French greatness, never, during his whole reign, inspired Charles with any apprehensions; and Clifford, 'tis said, one of his most favoured ministers, went so far as to affirm, that it were better for the King to be viceroy under a great and generous Monarch, than a slave to five hundred of his own insolent subjects.

\* The following passage is an Extract from M. Barillon's Letters kept in the *Depot des Affaires etrangeres* at Versailles. It was lately communicated to the Author while in France. Convention verbale arretée le 1 avril 1681; Charles 2 s'engage a ne rien omettre pour pouvoir faire connoître a sa Majesté qu'elle avoit raison de prendre confiance en lui; a se degager peu a peu de l'Alliance avec l'Espagne, & a se mettre en etat de ne point etre contraint par son parlement de faire quelque chose d'opposé aux nouveaux engagements qu'il prenoit. En conséquence le Roi promet un subside de deux millions la premiere des trois années de cet engagement & 500,000 écus les deux autres, se contentant de la parole de sa Majesté Britannique, d'agir a l'égard de sa Majesté conformément aux obligations qu'il lui avoit. Le Sr Hyde demanda que le Roi s'engagea a ne point attaquer les pays bas & meme Strasbourg, temoignant que le Roi son Maître ne pourroit s'empêcher de secourir les pays bas, quand même son parlement ne seroit point assemblé. M. Barillon lui repondit en termes generaux par ordre du Roi que sa Majesté n'avoit point intention de rompre la paix, & qu'il n'engageroit pas sa Majesté Britannique en choses contraires a ses veritables interets.

The



The ambition therefore and uncontrouled power of Lewis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction, which had shook his throne, and menaced his family, was totally subdued, and by their precipitant indiscretion had exposed themselves both to the rigour of the laws, and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant Parliament, he was enabled to govern altogether without one. But it is certain, that the King, amidst all these promising circumstances, was not happy nor satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humour from the present arbitrary measures, is uncertain. Perhaps the violent imprudent temper of the Duke, by pushing him upon dangerous attempts, gave him apprehension and uneasiness. He was overheard to say one day, in opposing some of the Duke's hasty councils, "Brother, I am too old to go again to my travels: You may, if you choose it." Whatever was the cause of the King's dissatisfaction, it seems very probable that he was meditating some change of measures, and had formed a new plan of administration. He was determined, 'tis thought, to send the Duke to Scotland, to recall Monmouth, to summon a Parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good will and affection of his subjects\*. Amidst these truly wise and virtuous designs, he was seized with a sudden fit, which resembled an apoplexy; and tho' he was recovered from it by bleeding he languished only for a few days, and then expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as great a surprize into his subjects, as if he had been in the flower of his youth. And their inexpressible concern for him, owing to their affection for his person, as well as the dread of his successor, very naturally, when joined to the critical time of his death, begot the suspicion of poison. All circumstances however considered, this suspicion must be allowed to vanish; like many others, of which all histories are full.

King's sickness and death, 6th of February.

DURING the few days of the King's illness, clergymen of the church of England attended him; but he discovered a total indifference towards their devotions and exhortations. Catholic priests were brought, and he received the sacrament from them, accompanied with all the other rites of the Romish church. Two papers were found in his closet, wrote with his own hand, and containing arguments in favour of that communion. The Duke had the imprudence immedi-

\* King James's Memoirs confirm the rumour.



Chap. VII. ately to publish these papers; and thereby both confirmed all the reproaches of  
1685. those who had been the greatest enemies to his brother's measures, and afforded to the whole world a specimen of his own bigotry.

and character. If we survey the character of Charles the Second in the different lights, which it will admit of, it will appear very various, and give rise to different, and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men; and indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive: His propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it: His wit, to use the expression of one, who knew him well, and who was himself an exquisite judge \*, could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And tho' perhaps he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the Monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the King's character; and he seems to have been sensible of it: For he was fond of dropping the formality of state, and of relapsing every moment into the companion.

In the duties of private life, his conduct, tho' not free from exception, was, in the main, laudable. He was an easy generous lover, a civil obliging husband, a friendly brother, an indulgent father, and a good natured master †. The voluntary friendships, however, which this Prince contracted, nay, even his sense of gratitude, were feeble; and he never attached himself to any of his ministers or courtiers with a very sincere affection. He believed them to have no other motive for serving him but self-interest, and he was still ready, in his turn, to sacrifice them to present ease or convenience.

WITH a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his conduct may admit of some apology, but can deserve small applause. He was indeed so much fitted for private life, preferably to public, that he even possessed order, frugality, œconomy in the former; was profuse, thoughtless, negligent in the latter. When we consider him as a Sovereign, his character, tho' not altogether void of virtues, was in the main dangerous to his people, and dishonourable to himself. Negligent of the interests of the nation, careless of its glory, averse to its religion, jealous of its liberty, lavish of its trea-

\* Marquess of Halifax.

† Duke of Buckingham.





